

Response to Rule 312 Communication	Application No.	Applicant(s)	
	09/522,678	LEVY, KENNETH L.	
	Examiner	Art Unit	
	Frantz Coby	2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. The amendment filed on 27 October 2004 under 37 CFR 1.312 has been considered, and has been:

- a) entered.
- b) entered as directed to matters of form not affecting the scope of the invention.
- c) disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

- d) disapproved. See explanation below.
- e) entered in part. See explanation below.

The amended claim 43 contains language that renders it indefinite. Namely, claim 43 recites "an audio signal" in line 3. Thus, It is not clear whether, the feature of "an audion signal" recited in line 2 of the claim is different to the claimed feature of "an audio signal" newly recited in line 3 of the claim. That therefore, renders claim 43 vague and indefinite.



Frantz Coby
Primary Examiner
Art Unit 2161